

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION CORPORATION,  Plaintiff-Applicant,  v.  BERNARD L. MADOFF INVESTMENT SECURITIES LLC,  Defendant.	No. 08-01789 (SMB)  SIPA LIQUIDATION  (Substantively Consolidated)
In re:  BERNARD L. MADOFF,  Debtor.	
IRVING H. PICARD, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff,  Plaintiff,  v.  GERTRUDE E. ALPERN REVOCABLE TRUST, et al.,  Defendants.	Adv. Pro. No. 10-04327 (SMB)

**ORDER PROHIBITING CHAITMAN LLP FROM COMMUNICATING WITH ANY  
THIRD PARTIES REGARDING ANY PENDING OR FORTHCOMING RULE 45  
SUBPOENAS ISSUED BY THE TRUSTEE**

**THIS MATTER** having come before the Court on the request of Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.*, and the estate of Bernard L. Madoff, filed on February 2, 2016 (ECF No. 87) (the

“Request”), seeking a conference concerning the improper interference by attorneys employed by Chaitman LLP with certain subpoenas issued by the Trustee pursuant to Federal Rule of Civil Procedure 45, made applicable by Rule 9016 of the Bankruptcy Rules, in connection with the above-captioned adversary proceeding; and the Court having held a hearing (the “Hearing”) on the Request on February 11, 2016 at 10:00 a.m.; and the Court having issued a bench ruling (the “Bench Ruling”) at the Hearing prohibiting attorneys and other individuals employed by Chaitman LLP from communicating or otherwise interfering with any third parties regarding subpoenas issued by the Trustee; and the Court having directed the Trustee to settle an order;

**IT IS HEREBY ORDERED THAT:**

In accordance with the Bench Ruling, as incorporated herein, all attorneys and other individuals employed by Chaitman LLP are hereby prohibited from communicating or otherwise interfering with any third party regarding **its compliance with** any pending or forthcoming subpoena issued by the Trustee. **In the event of a dispute, the parties should first confer in good faith, and if they cannot resolve their dispute, promptly advise the Court and request a conference. Pending the completion of the conference, compliance with the subpoena will be stayed as to the disputed disclosures, and if practical, the third party shall comply with the balance of the subpoena. [SMB: 2/19/16]**

Dated: February 19<sup>th</sup>, 2016

New York, New York

/s/ STUART M. BERNSTEIN\_\_\_\_\_

HONORABLE STUART M. BERNSTEIN

